

Remarks

Applicant thanks the Examiner for an early indication of allowable subject matter in claims 4-6, 9, 17, and 18.

Reconsideration of this Application is respectfully requested.

Claims 29-38 are sought to be cancelled without prejudice or disclaimer. Claims 1, 2, 3, 8, 9, 15, and 27 are sought to be amended. Upon entry of the foregoing amendment, claims 1-28 are pending in the application, with 1, 8, 11, and 27 being the generic, independent claims. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Restriction Requirement

Applicant traverses the Examiners characterization of the restriction requirement that none of the claims are generic. Claims 1, 8, 11, and 27 are clearly generic claims because they cover all of the Examiner's alleged species. Therefore, as discussed below, since claims 1, 8, 11, and 27 should be found allowable, under 37 C.F.R. 1.141, all the claims depending from these claims that were not originally elected should be brought back into the case and found allowable. In order to expedite prosecution, Applicant has cancelled, without prejudice or disclaimer, claims 29, 30, 32, 33, 34, and 35, and their dependent claims, because the independent claims are not generic claims.

Rejection under 35 U.S.C. 112, Second Paragraph

The Examiner rejected claim 15 under 35 U.S.C. 112, second paragraph, as being indefinite. Based on the amendment above, Applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

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Rejections under 35 U.S.C. § 102(e) and 103(a)

Claims 1-3, 7, 8, 11-16, and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.P.N. 5,898,479 to Hubbard et al (“Hubbard”). Claims 21-22 were rejected under 35 U.S.C. § 103(a) as being obvious over Hubbard. Applicant respectfully traverses these rejections.

Claims 1, 8, and 27 recite at least projecting an image of a reticle having a plurality of periodic pattern features and claim 11 recites at least illuminating periodic patterns.

Hubbard teaches a reticle (FIG. 3) having a single pattern or pattern feature.

Therefore, Hubbard does not anticipate nor render obvious at least claims 1, 8, 11, and 27. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1, 8, 11, and 27 for at least this reason. Also, based on their dependency from claims 1, 8, 11, and 27, claims 2-7, 9-10, 12-26, and 28 should also be found allowable for at least the reasons discussed above.

Conclusion

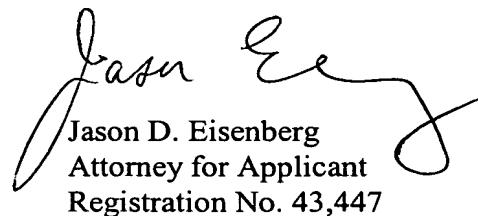
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Handwritten signature of Jason D. Eisenberg, consisting of the name "Jason" and "Eisenberg" in a cursive script.

Jason D. Eisenberg
Attorney for Applicant
Registration No. 43,447

Date: 4/14/03

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

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